



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|------------------------|----------------------------------|------------------|
| 10/800,434 | 03/15/2004 | Michael A. Kricheldorf | GSO1100 | 8949 |
| 30245 | 7590 | 10/25/2005 | | |
| ANTHONY EDW. J CAMPBELL PO BOX 160370 AUSTIN, TX 78716 | | | | |
| | | | EXAMINER MCGRAW, TREVOR EDWIN | |
| | | | ART UNIT 3752 | PAPER NUMBER |

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,434

Applicant(s)

KRICHELDORF, MICHAEL A. ⁵

Examiner

Trevor McGraw

Art Unit

3752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/15/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. Applicant is advised that the information disclosure statement filed 03/24/2004 has been considered except for U.S. Reference Number 387,270. It appears that the name of the inventor does not correspond to the cited reference.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13 and 14 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 13 line 1 and the last line of claim 14 do not represent what is in the specification in regard to a pressure regulator. The pressure relief valve (50) in the specification of the said invention is incapable of pressure regulation. It should be further noted that claim 6 rejected under 35 U.S.C. 112, second paragraph as it is not clear as to where the pressure device is desired to be on the cap or the handle.

3. In regard to claim 20, it is not clear as to what fluid inlets are in the claim in view of the claim language.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12; 15, 16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stamatov (Patent No.) as applied to claim 1 above, and further in view of Brown (U.S. Patent No. 1,266,396).

5. In regard to claim 1, Stamatov teaches a vessel (1) with a handle integral with the vessel with the purpose of holding and dispensing a liquid through compressed gas pressurization of the vessel (10) to force a liquid to be dispensed through a threaded cap (3) with a hose (8) extending from the bottom portion of the vessel through the cap (Figure 1). Stamatov discloses the claimed invention except for the passageway in the handle coupled with a trigger thereon for actuating a valve to pressurize the vessel. Brown teaches that it is known in the pneumatic fluid dispensing art that a handle can have a hollow passageway with a trigger, which is coupled to the handle where the actuation of the trigger will open the passageway between the pneumatic fitting and the gas inlet. Furthermore, Brown also teaches using an internal passage in a handle to allow air passage there between in the handle. See vent (12) and opening at valve (6). In view of Brown it is shown that it would have been obvious to one skilled in the art to provide Stamatov with an air passage in the handle with a valve to allow pneumatic pressure into the vessel with a trigger coupled there to make it easier to control fluid dispensing through user hand held handle actuation.

6. In regard to claim 2, brown shows a trigger, which is coupled to the handle at a pivot point (11). In regard to claim 3, Brown further teaches a stem comprising a solid portion and a hollow portion that can be integral with a vessel trigger to obstruct the

handle passageway from opening and closing. In regard to claim 4, Brown teaches in Figure 2 the compression of a spring (13) when a trigger (11) is actuated. In regard to claims 5 and 6, Stamatov teaches an opening with threads that is arranged to reciprocate with a cap that has a hole. In regard to claim 7, Stamatov teaches a tube that extends from the lower portion of the vessel to the hole through the cap. In regard to claims 8 and 9, Stamatov teaches a dispense hose that is configured to a fluid delivery fitting (6 and 6a) that can be removable and exchangeable. In regard to claim 10, Stamatov also teaches that a hose (10) can be attached to an air compressor. In regard to claim 11, Stamatov in Figure 2 shows how the cap can be removed and how the cap and hose can be positioned to create an air tight seal while delivering the fluid.

7. In regard to claim 12, it is inherent for the compressor to have a pressure regulator.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stamatov in view of Brown as applied regarding claim 15 and further in view of Zawels (U.S. Patent No. 1,246,213). Stamatov as modified by Brown teaches all the limitations of Claim 17 except for employing a sight fill window in the vessel. As taught by Zawels, it would have been obvious to one skilled in the art to provide a sight glass window in the vessel of Stamatov as modified by Brown.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Brown (1,266,396), Zawels (1,246,213), Hamm (3,603,694), Havlovitz (6,415,956), Bartlett (2,753,080), Weber (1646567), Willson (1843532), Birge

Art Unit: 3752

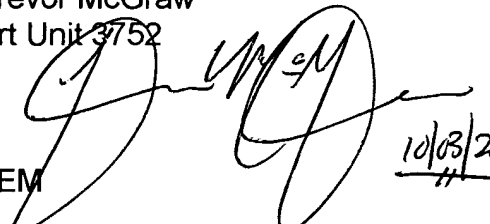
(4,971,257), Yeh (6,494,347) all disclose relatable information in relation to what the applicant is claiming.

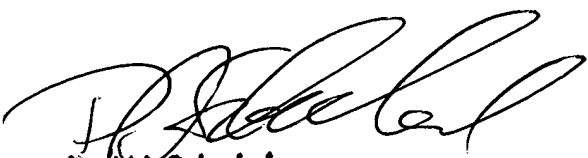
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trevor McGraw whose telephone number is (571) 272-7375. The examiner can normally be reached on Monday-Friday (2nd & 4th Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on (571) 272-4919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trevor McGraw
Art Unit 3752

TEM  10/03/2005


Dave R. Scherbel
Supervisory Patent Examiner
Group 3700